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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/078,727	02/19/2002	Charles Fauble	025779-004100US	5475
20350	7590	03/15/2006	EXAMINER	
TOWNSEND AND TOWNSEND AND CREW, LLP			CHAI, LONGBIT	
TWO EMBARCADERO CENTER			ART UNIT	
EIGHTH FLOOR			PAPER NUMBER	
SAN FRANCISCO, CA 94111-3834			2131	

DATE MAILED: 03/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/078,727	FAUBLE ET AL.	
	Examiner	Art Unit	
	Longbit Chai	2131	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 February 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

1. Original application contained claims 1 – 13. Claims 1, 10 and 11 have been amended in an amendment filed on 2/21/2006. The amendment filed have been entered and made of record. Presently, pending claims are 1 – 13.

### ***Response to Arguments***

1. Applicant's arguments with respect to the subject matter of the instant claims have been fully considered but are not persuasive.

2. As per claim 1, 10 and 13, Applicant asserts: "Tucker reference des not teach a transformed lookup table is created corresponding to each potential keyboard input and outputting a transformed code corresponding to a pressed key". Examiner disagrees because (a) Tucker disclose, in another embodiment, that placing a hook interface between OS routines and a hardware input device (i.e., from a keyboard, etc.) by capturing, interpreting and modifying device input before it is made available to other OS processes (Tucker: Para [0066] Line 4 – 8), and (b) such a random reconfiguration of the keypad for each keypad entry may be used to improve the security of data entered into an executing polymorphed application (Tucker: Para [0069] Line 22 – 27) and as such applicant's arguments are respectfully traversed.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraph of 35 U.S.C. 102 that forms the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1 – 3 and 10 – 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Tucker (U.S. Patent 2002/0016918).

As per claim 1, 10, 12 and 13, Tucker teaches a reconfigurable secure keyboard console to encrypt a keystroke, comprising:

a plurality of physical keys (Tucker: Figure 6 Element 55);

a reconfigurable first memory to an encryption key (Tucker: Paragraph [0067] Line 1 – 4);

a reconfigurable second memory to store at least one transformation instruction (Tucker: Para [0068] Line 1 – 8 and Para [0067] Line 1 – 4);

a keyboard processor including a standard lookup table containing a plurality of codes and a plurality of values, each of the plurality of codes and the plurality of values corresponding to one of a plurality of potential keyboard inputs (Tucker: Figure 7, Para [0066] Line 4 – 8, Para [0069] Line 21 – 27, Claim 36 and Para [0060] Line 5 – 6),

wherein the keyboard processor retrieves the at least one transformation instruction, executes the at least one transformation instruction (Tucker: Para [0068] Line 1 – 8 and Para [0067] Line 1 – 4),

a reconfigurable third memory; and creates a transformed lookup table containing the plurality of values and a plurality of transformed codes, each of the plurality of values and the plurality of transformed codes corresponding to one of the plurality of potential keyboard inputs, stores the transformed lookup table in the third reconfigurable memory (Tucker: Figure 7, Para [0069] Line 21 – 25, Claim 36 and Para [0060] Line 5 – 6),

receives actual keyboard input corresponding to one of the plurality of potential keyboard inputs and finds an actual value corresponding to one of the plurality of potential keyboard inputs (Tucker: Figure 7, Para [0069] Line 21 – 25, Claim 36 and Para [0060] Line 5 – 6);

matches the actual value with one of the plurality of values in the transformed lookup table (Tucker: Figure 7, Para [0069] Line 21 – 25, Claim 36 and Para [0060] Line 5 – 6); and

outputs a transformed code from the plurality of transformed codes corresponding to the actual value (Tucker: Figure 7, Para [0069] Line 21 – 25, Claim 36 and Para [0060] Line 5 – 6).

As per claim 2, Tucker teaches the first reconfigurable memory and the second reconfigurable memory are both located in the same physical memory device (Tucker:

Art Unit: 2131

Para [0078] Line 1 – 8: the number of memory components is interpreted as one to meet the claim language).

As per claim 3, Tucker teaches the first reconfigurable memory, the second reconfigurable memory and the third reconfigurable memory are located in the same physical memory device (Tucker: Para [0078] Line 1 – 8: the number of memory components is interpreted as one to meet the claim language).

As per claim 11, the claim limitations are met as the same reasons set forth in the paragraph above regarding to claim 1 with the exception of the feature transmitting and receiving information from a global network; a first computing device to communicate securely with a second computing device over the global network, including a first central processing unit to receive encrypted information from the global network and to transmit encrypted information to the global network, a reconfigurable secure keyboard console to transmit encrypted information and to receive encrypted information from the keyboard controller. However, Tucker further teaches transmitting and receiving information from a global network; a first computing device to communicate securely with a second computing device over the global network, including a first central processing unit to receive encrypted information from the global network and to transmit encrypted information to the global network, a reconfigurable secure keyboard console to transmit encrypted information and to receive encrypted information from the keyboard controller (Tucker: Para [0080] & [0079]).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A person shall be entitled to a patent unless –

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 4 – 6, 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tucker (U.S. Patent 2002/0016918), in view of Erola (U.S. Patent 6092133).

As per claim 4, Tucker does not teach the reconfigurable secure keyboard console of claim 1, further including a transaction card reader.

Erola teaches the reconfigurable secure keyboard console further including a transaction card reader (Erola: Column 4 Line 1 – 5).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Erola within the system of Tucker because Erola teaches an effective computer input device mechanism that an internal or external element in the system can manipulate the smart card information with low-level command without interference from other elements in the system (Erola: Column 4 Line 1 – 5).

As per claim 5, Tucker as modified teaches the transaction card reader is a smart card reader (Erola: Column 4 Line 1 – 5).

As per claim 6, Tucker as modified teaches a subscriber identity module (SIM) is plugged into the smart card reader (Erola: Column 1 Line 10 – 11).

As per claim 8, Tucker as modified teaches the transaction card reader is a biometric reader (Tucker: Para [0073] Line 18).

As per claim 9, Tucker as modified teaches the transaction card reader is a memory card reader (Erola: Column 5 Line 62 – 64).

4. Claim 7 rejected under 35 U.S.C. 103(a) as being unpatentable over Tucker (U.S. Patent 2002/0016918), in view of Erola (U.S. Patent 6092133), and in view of Abreu (U.S. Patent 2001/0056359).

As per claim 7, Tucker as modified does not teach the transaction card reader is a bar code reader.

Abreu teaches the transaction card reader is a bar code reader (Abreu: Para [0164]).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Abreu within the system of Tucker because Abreu teaches an efficient point-of-transaction system structure to read bar-coded product information and transfer to the central server without the need for duplicating entry of product information (Abreu: Para [0163] & [0164]).



***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Longbit Chai whose telephone number is 571-272-3788. The examiner can normally be reached on Monday-Friday 8:00am-4:00pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2131

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Longbit Chai  
Examiner  
Art Unit 2131

LBC



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